

Notice of Allowability

Application No.

10/798,529

Examiner

Tuan D. Nguyen

Applicant(s)

RIVERA ET AL.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/14/2006.
2. ☒ The allowed claim(s) is/are 2-13 and 15-21 and renumbered as 1-19.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

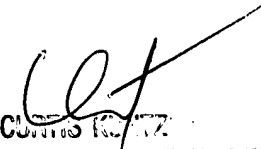
* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 7/10/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CURTIS R. KATZ
SUPERVISORY EXAMINER

Office Action

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Albin Gess on 11/01/2006.

2. The application has been amended as follows:

In the claims:

Cancel claims 1, 14.

Claim 2, line 1 after "claim" delete "1" and insert ---15---.

Claim 8, line 1 after second "the" insert ---top---.

Claim 9, line 1 after second "the" insert ---top---.

Claim 10, line 1 after second "the" insert ---top---.

Claim 10, line 2 after second "the" insert ---top---.

Claim 10, line 3 after "the" insert ---top---.

Claim 11, line 1 after "the" insert ---top---.

Claim 12, line 1 after "claim" delete "1" and insert ---15---.

Claim 15, replace the entire claim 15 to read as below,

----A transducer for converting electrical energy into mechanical energy, the transducer comprising: a top portion of a housing having a circumference and a

height adapted to flex in a controlled manner; a bottom portion of a housing having a circumference and a depth adapted to be rigid and stationary with respect to the top and supporting the top portion along the circumferences of the top and bottom portions when the top and bottom portions are placed to define an enclosure; and a conductive coil positioned between the top and bottom portions of the housing, to receive electrical signals and cause elastic deflections of the top in response to currents in the conductive coil caused by the electrical signals, the conductive coil comprising a bottom plate with a recess capable of being physically attached to the bottom portion, inside the housing; a magnet adapted to fit within the recess of the bottom plate; a top plate with a circular aperture through a symmetrical center, the top plate capable of being attached to the bottom plate; a pole cap adapted to fit within the circular aperture in the top plate; and a voice coil having a first end and a second end, the voice coil having a diameter smaller than the circular aperture of the top plate, the voice coil adapted to oscillate with the second end in a space between the pole cap and the circular aperture of the top plate.----

(End of Examiner's 'Amendment)

Examiner's Statement of Reason for Allowance

3. Claims 2-13, 15-21 are allowed.

The following is an examiner's statement of reasons for allowance: The prior art of record teaches various electro-acoustic transducers thereon, for example U.S. patent number RE32,785. However, the prior art of record fails to show claim 15, the conductive coil comprising a bottom plate with a recess capable of being physically attached to the bottom portion, inside the housing; a magnet adapted to fit within the recess of the bottom plate; a top plate with a circular aperture through a symmetrical center, the top plate capable of being attached to the bottom plate; a pole cap adapted to fit within the circular aperture in the top plate; and a voice coil having a first end and a second end, the voice coil having a diameter smaller than the circular aperture of the top plate, the voice coil adapted to oscillate with the second end in a space between the pole cap and the circular aperture of the top plate and in combination with all the limitation of claim 15

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan D. Nguyen whose telephone number is (571) 272-8163. The examiner can normally be reached on M-F 6:30-3:00.

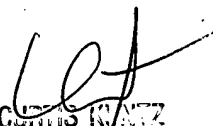
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TDN

11/6/06


CURT KUNTZ
SUPERVISOR / PATENT EXAMINER
TECHNOLOGY CENTER